



**U.S. Department of Justice**

*United States Attorney's Office  
Eastern District of New York*

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*271 Cadman Plaza East  
Brooklyn, New York 11201*

December 3, 2010

Honorable Nicholas G. Garaufis  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Richmond Industrial Center, Inc. v. The Ferry The Governor  
Herbert H. Lehman et al., Civil Action No. CV-10-5586

Dear Judge Garaufis:

The undersigned Assistant U.S. Attorney writes in follow up to the conference held on December 2, 2010 in the above-referenced admiralty action. In this action, plaintiff Richmond Industrial Center, Inc. alleges that the decommissioned Staten Island ferry The Governor Herbert H. Lehman, is improperly moored and possibly in danger of breaking away from the pier located at 3075 Richmond Terrace in Staten Island, New York. The Government is not a party to the above-referenced action, but appeared on December 2, 2010 and submits this letter at the request of the Court because of issues raised in plaintiff's papers concerning potential threats to health, safety and navigation posed by the alleged improper mooring.

The undersigned hereby advises the Court that the United States Coast Guard has seen the vessel at the site. The Coast Guard has not determined that the vessel currently poses a substantial pollution threat, hazard to navigation, or other significant safety or health threat. The vessel is held in place by steel "spuds" as well as its moor. The Coast Guard intends to continue to monitor the situation and will undertake to initiate appropriate action should it determine that a pollution threat, hazard to navigation or other significant safety or health threat exists.

Respectfully submitted,

LORETTA E. LYNCH  
United States Attorney

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